

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

CHARLES CAMPBELL,

Plaintiff,

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

Case No. 1:25-cv-00574-SAB

**FINAL ORDER DIRECTING PLAINTIFF
TO FILE AN OPPOSITION OR
STATEMENT OF NON-OPPOSITION TO
DEFENDANT'S MOTION TO DISMISS**

SEVEN-DAY DEADLINE

On May 15, 2025, Plaintiff Charles Campbell, who is proceeding pro se and in forma pauperis, commenced this action under Title 42 of the United States Code, seeking review of a final decision of the Commissioner of Social Security. (ECF No. 1.)

On July 14, 2025, the Commissioner filed and served a motion to dismiss, arguing that this case should be dismissed because Plaintiff's administrative request for review remains pending with the Appeals Council. (ECF No. 8.)

Pursuant to the Court's May 16, 2025 scheduling order (ECF No. 5), Plaintiff's opposition was due fourteen days after service of the motion. No opposition was filed. However, because Plaintiff filed papers in this action after Defendant filed its motion to dismiss, it appeared to the Court that Plaintiff still intended to prosecute this action. Accordingly, the Court *sua sponte* granted the pro se Plaintiff a fourteen day extension of time to file a response to Defendant's motion. Plaintiff failed to file any response by the deadline and the time to do so has expired.

1 On the day after Plaintiff's extended deadline to file a response, August 22, 2025,
2 Plaintiff filed a notice of change of address. (ECF No. 18.) The notice provides that Plaintiff
3 "h[as] moved," but does not state when the move occurred.¹ Thus, in an abundance of caution,
4 the Court shall *sua sponte* grant the pro se Plaintiff **one final extension of time** to file a response
5 to Defendant's motion to dismiss.

6 Accordingly, IT IS HEREBY ORDERED that within **seven (7) days** from the date of
7 entry of this order, Plaintiff SHALL file an opposition or statement of non-opposition to
8 Defendant's motion to dismiss (ECF No. 8). **Failure to timely comply with this order will be**
9 **construed as a non-opposition to Defendant's motion to dismiss.**

10 IT IS SO ORDERED.

11 Dated: **August 26, 2025**



12 STANLEY A. BOONE
13 United States Magistrate Judge
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27 ¹ Regardless, "[e]ach...pro se party is under a continuing duty to notify the Clerk and all other parties of any change
28 of address or telephone number.... **Absent such notice, service of documents at the prior address of the attorney**
or pro se party shall be fully effective." L.R. 182(f) (emphasis added).